

REMARKS**INTRODUCTION**

In view of the foregoing, claims 1, 3, 6, and 23 have been amended. No new matter has been submitted, and reconsideration of the allowability of the pending claims is respectfully requested.

Claims 1-23 are pending and under consideration.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-12 and 15-23 stand rejected under 35 U.S.C. § 103(a) as being obvious over Dettmer, U.S. Publication No. 2005/0063533, in view of Kingen et al, U.S. Patent No. 4,496,799. This rejection is respectfully traversed.

By way of review and only as an example, independent claim 17 sets forth:

"[a] method of controlling a communication apparatus having a one-way speakerphone operation, the method comprising:

opening a transmit-receive line of a handset, connected to the communication apparatus for a two-way communication, when the handset is taken off-hook;

determining whether a one-way speakerphone mode has been selected; and

upon determining that a dialing of the communication apparatus has been completed, opening a line connected to a speaker of the communication apparatus and performing the one-way speakerphone operation to output a sound through the speaker during the handset two-way communication."

Thus, here, a handset is required for a two-way communication operation.

Similarly, the claimed speaker is for performing the claimed "one-way communication," i.e., with the speaker, information of the communication is "one-way". Here, the claimed one-way communication through the speaker must be capable of being performed while the two-way communication is being performed through the handset.

The remaining independent claims include at least similar features, with differing scope and breadth.

Regarding claim 1 (the office action states that claim 17 is essentially similar to claim 1 and rejected for the same reasons), the Office Action has indicated that Dettmer sets forth both the claimed handset performing the claimed two-way communication and the speaker performing the claimed one-way communication. Here, the Office Action further states that

Dettmer sets forth "wherein a conversation signal is transmitted through the speaker in response to the handset being off-hook, the one-way speakerphone operation gain control, and dialing being completed, wherein these three functions are inherently performed in the one speakerphone (10) operation," apparently citing paragraph [0037]-[0046].

Further, the Office Action indicates that Dettmer teaches a "one-way speakerphone operation by automatic gain control (AGC) (i.e., muting) in conjunction with a state machine (60)," but "does not teach expressly an input key part comprising a selection key for the one way speakerphone operation using a keypad. However, it may be noted that this is basically replacing the automatic control function of Dettmer with a manual mode of operation using a selection key."

Here, it is respectfully submitted that Dettmer has been misunderstood.

Dettmer illustrates a single handset 16, which is identified as a portable wireless handset for speakerphone operation, having a speaker 44 and a microphone 42. The handset 16 wirelessly communicates with the base-station 18. Together, the handset 16 and the base-station 18 create the described "wireless telephone system 10".

Thus, the above described speakerphone 10 referenced in the Office Action, in Dettmer is actually merely a block diagram of a wireless system that can have a speakerphone handset 16 that can communicate wirelessly with a base station 18.

Similarly, in Dettmer, the referenced speakerphone operation of a potential one-way or two way communication are not between a "handset" that performs a two-way communication and a "speaker" that performs a one-way communication.

Rather, in Dettmer, any one-way or two-way communications are only separately occurring and only between a single device, i.e., the single handset 16, and the base station repeating such communication data.

Further, the Office Action referenced "one-way speakerphone operation by automatic gain control (AGC) (i.e., muting)," is misunderstood.

AGC is not muting nor a "one-way speakerphone operation", but "automatic gain control" to control a "gain", i.e., amplification, of the input/output signals.

The discussed problems in Dettmer are at least regarding the inability to properly control the gains of a speaker and/or microphone partially caused by the proximity between the speaker and the microphone. See Dettmer in paragraph [0003].

To overcome such problems, Dettmer sets forth an improved method for controlling the input/output gains of the microphone and speaker for the same speakerphone device and for the same two-way communication.

Dettmer does not disclose or suggest the selective claimed separately and co-existing two-way communications and one-way communications, and further does not show a defined speaker for the one-way communication and the defined handset for the two-way communication.

Still further, Dettmer does not disclose or suggest that the one-way communication of the speaker is performed during the already occurring two-way communication.

Thus, Dettmer fails to disclose or suggest a majority of the features proposed in the Office Action.

The Office Action further cites Kingen et al., stating that Kingen et al. sets forth "an input key part (i.e. keypad K1) comprising a selection key for the one-way speakerphone operation and a plurality of dial keys... it would have been obvious to a person of ordinary skill in the art to combine the teachings of Kingen et al. with Dettmer to provide a selection key (i.e. manual mode) for the one-way speakerphone as an alternative method to the automatic gain control method of Dettmer."

However, as the focus of Dettmer is on particularly controlling automatic gain through use of a particular circuit arrangement in a particular relationship between the speaker and the microphone of the single speakerphone device, it is respectfully submitted that it would not have been obvious to completely change the inventive focus and implementation set forth in Dettmer to overcome the problems described therein.

Further, it is respectfully submitted that the Office Action has failed to set forth a prima facie obviousness case supporting that such a modification of Dettmer would even have a reasonable chance of success. The Office Action is unclear how Dettmer will be changed, only that the AGC of Dettmer will be swapped with the selection key of Kingen et al.

Lastly, again, it is respectfully submitted that neither Dettmer nor Kingen et al. disclose or suggest the above-mentioned deficient features set forth in the independent claims.

Regarding dependent claims, using claim 2 as an example, the Office Action has again relied upon Kingen et al. to further modify the modification of Dettmer suggested in rejecting claim 1, i.e., the Office Action is again using Kingen et al. for a different obviousness rejection for arguing that it would have been obvious to further modify the already proposed combination.

However, this added feature, proposed in the rejection of claim 2, requires an obviousness rationale. The Office Action cannot merely again cite Kingen et al., but that citation must be followed by a prima facie obviousness case supporting the further modification of Dettmer. All features of Kingen et al. have not been bodily incorporated into Dettmer.

Accordingly, it is respectfully submitted that the Office Action's interpretation of Dettmer, as well as the previous interpretations of Kingen et al., are misplaced and inaccurate.

At least in view of the above, applicants respectfully request that this rejection of claims 1-12 and 15-23 be withdrawn.

Claims 13 and 14 stand rejected under 35 U.S.C. § 103(a) as being obvious over a combination of Dettmer and Kingen et al., and further in view of Parks et al., U.S. Patent No. 5,877,746. This rejection is respectfully traversed.

It is respectfully submitted that none of Dettmer, Kingen et al., nor Parks et al. disclose or suggest the above deficient features. Accordingly, it is respectfully submitted that claims 13 and 14 are allowable for at least the above reasons. Withdrawal of this rejection is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: September 4, 2007

By: 

Stephen T. Boughner
Registration No. 45,317

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501